

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF FLORIDA

UNITED STATES OF AMERICA,
Plaintiff,

vs.

Case No.: 25-Cr-60128-WPD

MAIKAIL MALIK KNIGHT-LEWIS,
Defendant.

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UNOPPOSED MOTION TO CONTINUE SENTENCING

COMES NOW, the defendant, MAIKAIL MALIK KNIGHT-LEWIS, and respectfully requests the Court order continue the sentencing date in this matter for 60 days and as grounds in support thereof the defense would state the following:

1. Mr. Knight-Lewis is set for sentencing on December 16, 2025.
2. On September 24, 2025, Mr. Knight-Lewis entered a plea in this matter.
3. Prior to the plea, defense counsel had extensive discussions with the government and United States probation and it was determined that Mr. Knight-Lewis qualified for the “safety valve” under U.S.S.G. §5C1.2. As a result the bottom of Mr. Knight-Lewis’ guidelines would be 37 months imprisonment with no minimum mandatory sentence.
4. On October 1, 2025, Mr. Knight-Lewis’ attorney in his pending state court matter advised him to take a plea to credit for time served without consulting with undersigned counsel or advising Mr. Knight-Lewis that the plea and sentence will make him ineligible for the safety valve. As a result, Mr. Knight-Lewis no longer qualifies for the safety

unless the Court determines that paragraph 60 qualifies as relevant conduct to the underlying offense. See ECF 155 ¶60.

5. After Mr. Knight-Lewis learned that he may no longer qualify for the safety valve his mother retained Jonathan Jordan, Esquire to file a motion to vacate his plea pursuant to F.R.Cr.P. 3.850. Undersigned counsel spoke to Mr. Jordan yesterday who advised that he has already ordered the change of plea transcript and will be filing the motion to vacate as soon as the transcript is received. Since the plea was a time served plea and also a withhold of adjudication with a straight jail sentence and no probation according to the PSR, it appears this also could be an illegal sentence that can be vacated pursuant to F.R.Cr.P. 3.800. In any event, relief is likely.

6. AUSA Joseph Cooley has no objection to a 60 day continuance of the sentencing.

WHEREFORE Mr. Knight-Lewis requests this motion be granted.

Respectfully submitted,

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